



Order Filed on March 19, 2025
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY
Caption in compliance with D.N.J. LBR 9004-1(b)
PADGETT LAW GROUP Joshua I. Goldman, Esq. 6267 Old Water Oak Road, Suite 203 Tallahassee, FL 32312 (850) 422-2520 (telephone) (850) 422-2567 (facsimile) Josh.Goldman@padgettlawgroup.com <i>Attorneys for MTGLQ Investors, L.P.</i>
In Re: Joanna L Garrison, Debtor(s).

Case No.: 22-17461-MEH
Chapter 13
Hearing Date: 02/11/2025
Judge: Mark Edward Hall

**ORDER RESOLVING SECURED CREDITOR'S MOTION FOR RELIEF FROM
THE AUTOMATIC STAY**

The relief set forth on the following pages, numbered two (2) through three (3), is hereby ORDERED.

DATED: March 19, 2025



Honorable Mark E. Hall
United States Bankruptcy Judge

Page 2

Secured Creditor: MTGLQ Investors, L.P.

Secured Creditor's Counsel: Padgett Law Group

Debtor's Counsel: Warren S. Jones, Jr.

Property Involved ("Collateral"): 13 Santa Clara Trail, Pemberton Twp, New Jersey 08015

Relief Sought: ■ Motion for Relief from the Automatic Stay

For good cause shown, it is ORDERED that Secured Creditor's Motion is resolved, subject to the following conditions:

1. Status of post-petition arrearages:

- Debtor is overdue for 14 months from January 1, 2024 through February 1, 2025.
- Debtor is overdue for 9 payments from January 1, 2024 through September 1, 2024 at \$1,028.07 per month, 4 payments from October 1, 2024 through January 1, 2025 at \$1,061.66 per month and 1 payment due for February 1, 2025 at \$1,087.24.

Funds Held In Suspense: \$125.45

Total Arrearages Due: \$14,461.06

2. Debtor must cure all post-petition arrearages, as follows:

- Beginning on March 1, 2025, regular monthly mortgage payments shall continue to be made by the Trustee in the amount of \$1,087.24.
- The total arrears in the amount of \$14,461.06 shall be paid via the Chapter 13 Plan as indicated in the Debtor's Modified Chapter 13 Plan filed on January 15, 2025.

3. Payments to the Secured Creditor shall be made to the following address(es):

- Regular monthly payment: Shellpoint Mortgage Servicing
P.O. Box 650840
Dallas, TX 75265-0840
- Monthly cure payment: Shellpoint Mortgage Servicing
P.O. Box 650840
Dallas, TX 75265-0840

4. In the event of Default:

- Should the Debtor(s) fail to make any of the above captioned payments, or if any regular monthly mortgage payment or Trustee payments should become more than thirty (30) days late or if Debtor(s) fails to comply with any terms of this Order, counsel shall file a Certification of Default with the Court. A copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor(s), and Debtor's(s') attorney and the court shall enter an Order granting relief from the automatic stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Order.
- In the event that Debtor(s) convert(s) to a Chapter 7 during the pendency of this bankruptcy case, the Debtor(s) shall cure all arrears within ten (10) days from the date of conversion in order to bring the loan contractually current. Should Debtor(s) fail to bring the loan contractually current, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, Chapter 7 Trustee, the Debtor(s), and Debtor's(s') attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Order.
- This order survives any loan modification agreed to and executed during the instant bankruptcy. If any regular mortgage payment due after the execution of a loan modification is more than thirty (30) days late, counsel shall file a Certification of Default with the Court. A copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor(s), and Debtor's(s') attorney and the court shall enter an Order granting relief from the automatic stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Order.
- If the bankruptcy case is dismissed, or if the automatic stay is vacated, the filing of a new bankruptcy case will not act to impose the automatic stay against the Secured Creditor's opportunity to proceed against its Collateral without further Order of the Court.
- Award of Attorneys' Fees:
 - ☒ The Applicant is awarded attorneys fees of \$550.00, and costs of \$ 199.00.

The fees and costs are payable:

- ☒ through the Chapter 13 plan.
- ☐ to the Secured Creditor within _____ days.
- ☐ Attorneys' fees are not awarded.